

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

CRIMINAL NO. 06-30567

HONORABLE R. STEVEN WHALEN

-VS-

MICHAEL EWALD,  
Defendant.

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**ORDER FOR PSYCHIATRIC OR  
PSYCHOLOGICAL EXAMINATION OF DEFENDANT EWALD**

This matter coming before the Court on plaintiff's motion, the Court finds for the reasons stated on the record that there is a preponderance of evidence to believe that defendant Michael Ewald is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him. Accordingly, pursuant to 18 U.S.C. §4241(b), it is hereby ordered:

That a psychiatrist or psychologist be authorized and directed to examine the mental condition of defendant Michael Ewald to determine if he is suffering from a mental disease or defect.

That upon the end of the time period of treatment, thirty days from the date of this order, the psychiatrist or psychologist shall promptly file a report with the court. *see* 18 U.S.C. §4247(b) and ©.

The report shall determine whether:

The defendant is suffering from a mental disease or defect as a result of which he is in need of custody or care and treatment in a suitable facility ; and

any recommendation the examiner may have as to how the mental condition of the defendant should effect his competency to stand trial and assist in his defense. *see, id.* §4247(d) and (e).

That the defendant shall be examined within thirty days of the date of this order.

That the examiner promptly file the written report with this Court and provide copies of the report to defense counsel and the attorney for the government, *see id.* §4247©.

S/R. Steven Whalen  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

Dated: February 15, 2007

#### CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on February 15, 2007.

S/G. Wilson  
Judicial Assistant